THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.22025 of 2006

DATED 26.10.2006

Between:
Neelam China Veeraiah.
.... PETITIONER

versus

The Returning Officer for Dubagunta
Gram Panchayat Elections, A.P.Pet Mandal,
Nellore District and another. .... RESPONDENTS

WRIT PETITION NO.22025 of 2006

ORDER:

The matter is coming up for admission today.

2. Heard the learned counsel.

3. The Writ Petition is filed praying for relief of Writ of Mandamus declaring the action of the respondents particularly the 1st respondent in not allowing the recounting on the application of the petitioner dated 2.8.2006 in respect of election for the Sarpanch of Dubagunta Gram Panchayat in A.S.Pet Mandal of Nellore District as illegal, unjust, arbitrary and against statutory provisions including A.P. Panchayat Raj Act, 1994 and the Rules made thereunder and consequently direct the 1st respondent to recount the votes for election for the Sarpanch of Dubagunta Gram Panchayat in A.S.Pet Mandal of Nellore District and pass such other suitable orders.

4. Several factual details no doubt had been narrated in the affidavit filed in support of the Writ Petition. However, it is also stated that Election O.P.No.7 of 2006 was also filed on the file of

Election Tribunal-cum-Junior Civil Judge, Atmakur and the same is pending disposal.

5. Inasmuch as the remedy by way of Election O.P. already had been invoked by the petitioner, it would be appropriate to dispose of the Writ Petition directing the Election Tribunal-cum-Junior Civil Judge, Atmakur to dispose of Election O.P.No.7 of2006 at an early date preferably within a period of four (04) months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

26.10.2006

SSR